

Document #46/4

5/21/85

MEMORANDUM

May 21, 1985

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: EDITH NETTER, ASSISTANT DIRECTOR FOR LAND USE
AND ENVIRONMENTAL POLICY
LINDA BOURQUE, DIRECTOR OF ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOSTON OF APPEAL REFERRALS

Recommendations on fourteen zoning petitions have been prepared by Authority staff for referral to the Board of Appeal.

<u>Category</u>	<u>Recommendation</u>			
	<u>Approval</u>	<u>Denial</u>	<u>Denial w/o Prejudice</u>	<u>Deferral</u>
Residential conversions	1	1		
Major new housing or rehabilitation	3			
Residential (building expansions, subdivisions, etc.)	2		1	
Parking; gas stations; repair garages		2		
Industrial; chemical storage				
Institutional	1			
Commercial; office; business	2			
Hotels; restaurants	1			
Signs				

We recommend approval of ten referrals:

- Z-7662 41 Monument Square, Charlestown. Canopy will project front sandstone steps from elements.
- Z-7675- 160-162 Centre Street, Roxbury. Two three family dwelling existing.
7676 Subdivision of duplex structure for separate owners.
- Z-7664 253-261 Hyde Park Avenue, Jamaica Plain. Four story 38 unit apartment structure compatible with general residential neighborhood and would improve an existing blighted site.
- Z-7720 318-320 Athens Street, South Boston. Proposed two family dwelling consistent with residential neighborhood.

- Z-7745 104-118 Water Street, Boston. Northeastern University will lease two floors of former office space for intown classes. Full taxes will continue to be paid on structure.
- Z-7671 1 Financial Center, Boston. On May 10, 1984, Authority approved amendment to LDA deleting three cinemas and provision of off-street parking on first basement level.
- Z-7666 3-11 Bowdoin Street, Dorchester. Pizza-sub restaurant consistent with existing uses in immediate commercial area.
- Z-7778- 300 Chelsea Street, Charlestown. Historic Navy Yard building (32
7779 and 34) will be totally renovated for office-retail uses.
- Z-7656 3 Parley Vale, Jamaica Plain. Petition will legalize existing rear addition.
- Z-7751- 1210-1218 VFW Parkway, West Roxbury. Petition will remedy violations
7755 incurred in design review process.

We recommend denial of three referrals:

- Z-7655 1325 Boylston Street, Boston. Lot cannot adequately support entire gas station, parking for 68 cars and proposed sale of 5-10 used cars.
- Z-7657 4415 Washington Street, Roslindale. Proposed expansion of gas station, sale of used cars, would seriously affect adjacent residential properties.
- Z-7663 14-16 Owencroft Road, Dorchester. Proposed three family occupancy inconsistent with predominantly two family neighborhood. Residents adamantly opposed.

We recommend denial without prejudice on one referral:

- Z-7661 352 Rear Beacon Street, Boston. Accessory garage is excessive. Petitioner must revise plans.

BOARD OF APPEAL REFERRALS

May 21, 1985

Hearing

- | | | | |
|-----|-------------|--------|---|
| 1. | Z-7655 | 6/4/85 | George Pagounis and Keith Laubenstein
1325 Boylston Street, Boston |
| 2. | Z-7656 | 6/4/85 | Stavros J. Frantzis
3 Parley Vale, Jamaica Plain |
| 3. | Z-7657 | 6/4/85 | Stephanos Kalemkerides
4415 Washington Street, Roslindale |
| 4. | Z-7661 | 6/4/85 | Victor A. Conklin, Trustee
352r Beacon Street, Boston |
| 5. | Z-7662 | 6/4/85 | Patience and Werner Bundschuh
41 Monument Square, Charlestown |
| 6. | Z-7663 | 6/4/85 | Nabih Younis
14-16 Owencroft Road, Dorchester |
| 7. | Z-7664 | 6/4/85 | John Michaelidis
253-261 Hyde Park Avenue, Jamaica Plain |
| 8. | Z-7666 | 6/4/85 | Mariano Pereyre
3-11 Bowdoin Street, Dorchester |
| 9. | Z-7671 | 6/4/85 | Dewey Square Tower Associates
1 Financial Center, Boston |
| 10. | Z-7675-7676 | 6/4/85 | Robert Dargon and Gregory Hanifan
160-162 Centre Street, Roxbury |
| 11. | Z-7720 | 6/4/85 | Thomas Gannon
318-320 Athens Street, South Boston |
| 12. | Z-7745 | 6/4/85 | 112 Water Street Realty
104-118 Water Street, Boston |
| 13. | Z-7751-7755 | 6/4/85 | Parke Realty Trust
1210-1218 V.F.W. Parkway, West Roxbury |
| 14. | Z-7778-7779 | 6/4/85 | Boston Redevelopment Authority
300 Chelsea Street, Charlestown |

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FROM: EDITH NETTER, ASSISTANT DIRECTOR, LAND USE AND ENVIRONMENTAL POLICY
LINDA BOURQUE, DIRECTOR OF ZONING
JOSEPH WALLING, ZONING OFFICER

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 6/4/85 Z-7655
George Pagounis and Keith Laubenstein
1325 Boylston Street
Boston

Site: Gas service station.

District(s): General business (B-2).

Purpose: Change occupancy from gas service station and parking lot (68 cars) to gas service station, parking lot (68 cars), and sale of used cars.

Violation(s): Outdoor sale or display of used motor vehicles is a conditional use.

Additional automotive use in this congested area would be detrimental to residents and would impair the flow of vehicular traffic.

VOTED: In reference to petition Z-7655, George Pagounis and Keith Laubenstein, 1325 Boylston Street, Boston, for a conditional use for change of occupancy from gas service station and parking lot (68 cars) to gas service station, parking lot (68 cars), and sale of used cars in a general business (B-2) district, the Boston Redevelopment Authority recommends denial. Additional automotive use in this congested area would be detrimental to residents and would impair the flow of vehicular traffic. Boylston Street has had acute traffic problems for many years. Lot cannot adequately support existing uses and proposed sale of five to ten used cars.



Z-7655 1325 BOYLSTON ST. BOSTON

Board of Appeal Referrals

Hearing: 6/4/85

Z-7656
Stavros J. Frantzis
3 Parley Vale
Jamaica Plain

Site: 2½-story structure.

District(s): Residential, two-family (R-.5).

Purpose: Erect two-story addition to four-unit apartment structure.

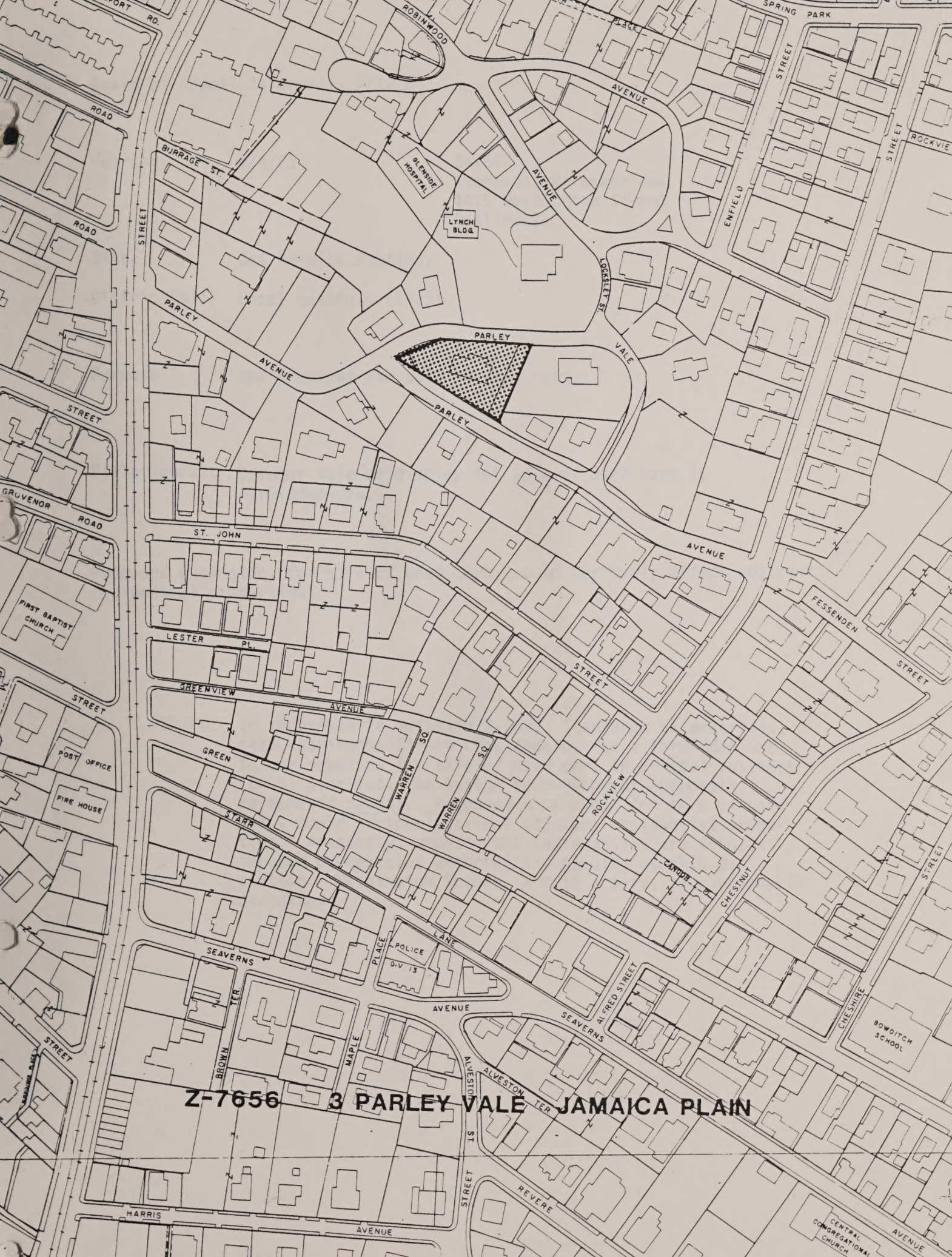
Violation(s):

At variance with prior Board of Appeal decision.

Parking is not allowed within required front yard.

Petition would legalize existing rear living room—greenhouse addition.

VOTED: In reference to petition Z-7656, Stavros J. Frantzis, 3 Parley Vale, Jamaica Plain, for two variances to erect a two-story addition to a four-unit apartment structure in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval only with the condition that the maximum occupancy be four units. This is the third petition regarding this property. The petitions previously submitted to the Board of Appeal were for six units. Only four units were approved. While four units are acceptable at this site from a design and density perspective, the construction was completed without benefit of a building permit. Proponent should agree to do no further construction on this site, as a condition of approval of this petition.



Z-7656 3 PARLEY VALE JAMAICA PLAIN

3

Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7657
Stephanos Kalemkerides
4415 Washington Street
Roslindale

Site: Gas service station.

District(s): Local business (L-.5).

Purpose: Use premises for sale of used cars.

Violation(s): Outdoor sale or display for sale of used cars is
forbidden use.

Proposed expansion, for sale of used cars, would seriously affect adjacent
residential properties.

VOTED: In reference to petition Z-7657, Stephanos Kalemkerides,
4415 Washington Street, Roslindale, for a forbidden use
to use premises for sale of used cars in a local business
(L-.5) district, the Boston Redevelopment Authority
recommends denial. Proposed expansion, for sale of used
cars, would seriously affect adjacent residential proper-
ties. Presently, pedestrians and vehicles are frequently
impeded by vehicles entering and queuing at this gas
station. Washington Street, a main artery, is continually
congested.



Z-7657

4415 WASHINGTON ST.

ROSLINDALE

4

Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7661
Victor A. Conklin, Trustee
352r Beacon Street
Boston

Site: Four-story, seven-unit apartment structure.

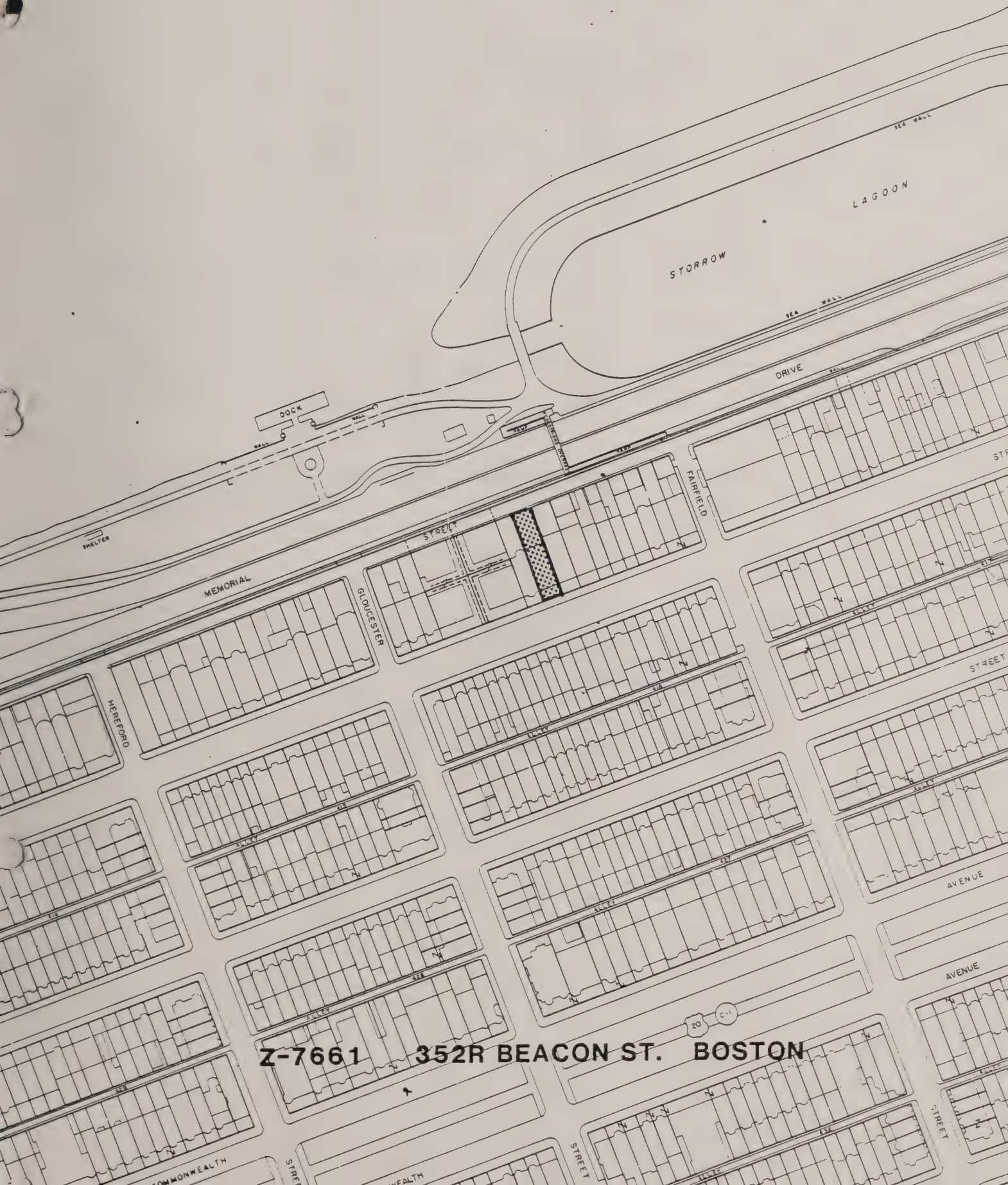
District(s): Apartment (H-3-65).

Purpose: Erect accessory garage.

Violation(s): Accessory use may not exceed 40% of unbuilt lot area.
Open space and front yard are insufficient.

Size of proposed garage is excessive.

VOTED: In reference to petition Z-7661, Victor A. Conklin, Trustee, for three variances to erect accessory garage in an apartment (H-3-65) district, the Boston Redevel-
Redevelopment Authority recommends denial without prejudice. Size of proposed garage is excessive.
Petitioner should meet with Back Bay Architectural Commission and Neighborhood Association of Back Bay to revise plans and resolve concern.



Z-7661 352R BEACON ST. BOSTON

Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7662
Patience and Werner Bundschuh
41 Monument Square
Charlestown

Site: Four-story five-unit apartment structure.

District(s): Apartment (H-1).

Purpose: Erect canopy over front steps.

Violation(s): Insufficient front yard.

Proposed canopy will protect front sandstone steps from elements.
No response from abutters.

VOTED: In reference to petition Z-7662, Patience and Werner Bundschuh, 41 Monument Square, Charlestown, for a variance to erect canopy in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. Canopy will protect front sandstone steps from the elements.



Z-7662

41 MONUMENT SQ. CHARLESTOWN

Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7663
Nabih Younis
14-16 Owencroft Road
Dorchester

Site: 2½-story structure.

District(s): Residential, two-family (R-.5).

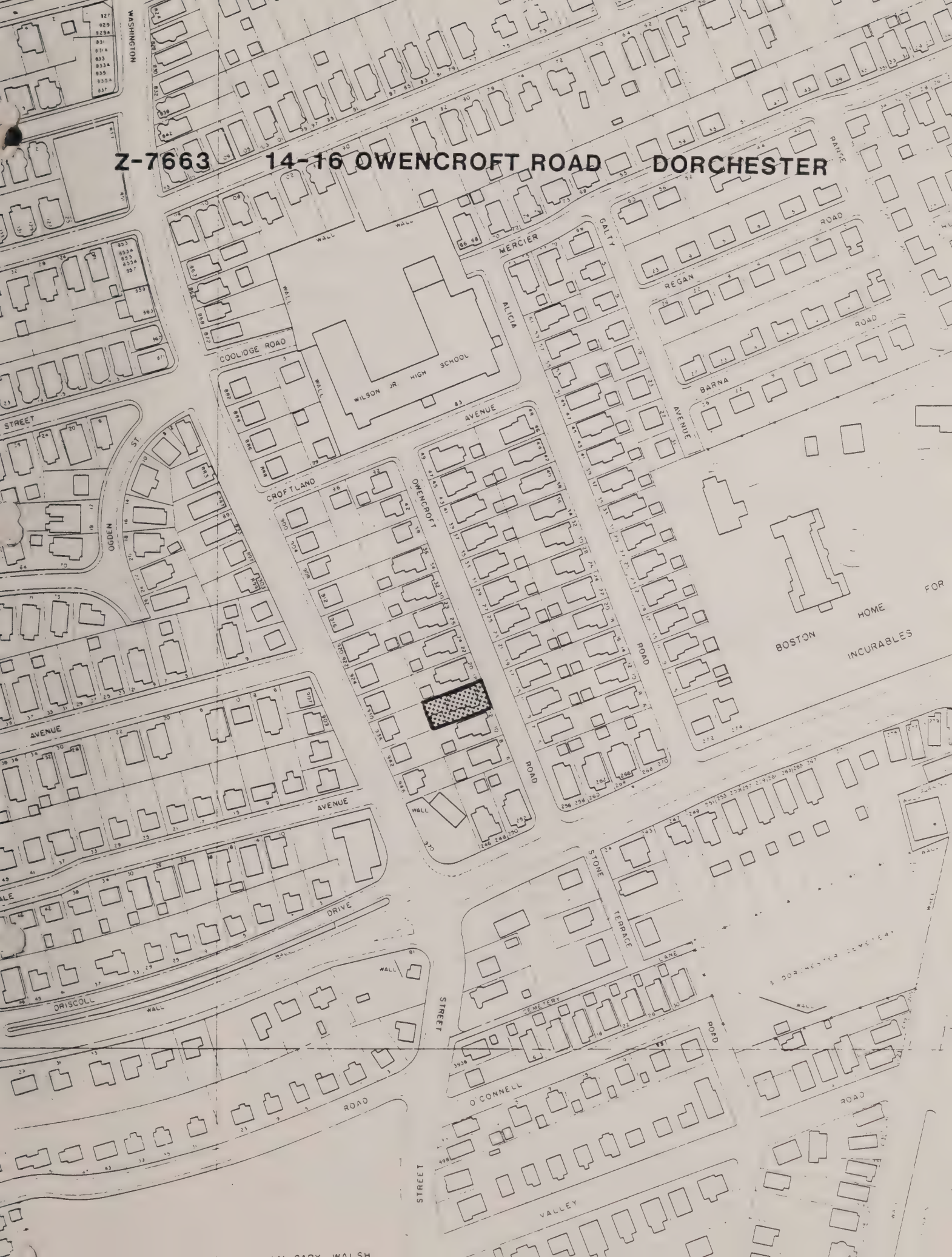
Purpose: Change occupancy from two- to three-family dwelling.

Violation(s): Dwelling converted for more families is forbidden use.
Insufficient lot area, width, frontage, open space, and front yard.
Excessive height of building.

Proposed three-family occupancy is inconsistent with predominantly two-family neighborhood. Residents are adamantly opposed.

VOTED: In reference to petition Z-7663, Nabih Younis, 14-16 Owencroft Road, Dorchester, for a forbidden use and six variances for change of occupancy from two- to three-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Proposed three-family occupancy would be inconsistent with predominantly two-family neighborhood; a negative precedent would be created. Residents are adamantly opposed.

Z-7663 14-16 OWENCROFT ROAD DORCHESTER



Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7664
John Michaelidis
253-261 Hyde Park Avenue
Jamaica Plain

Site: 28,455 square feet of land.

District(s): Manufacturing (M-1).

Purpose: Erect four-story, 38-unit apartment structure.

Violation(s): Multifamily dwelling is a conditional use.

Excessive floor area ratio, height of building, and number of stories.

Proposed multifamily dwelling would be compatible with the general residential character of the neighborhood and would improve an existing blighted site. Community reaction is mixed, after two meetings with developer, with concerns centering on parking.

VOTED: In reference to petition Z-7664, John Michaelidis, 253-261 Hyde Park Avenue, Jamaica Plain, for a conditional use and two variances to erect a four-story, 38-unit apartment structure in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval with proviso that plans, with particular attention to off-street parking and landscaping, be submitted to the Authority for design review approval. Proposed multifamily dwelling would be compatible with general residential character of neighborhood and would improve existing blighted property. Forest Hills MBTA station is proximate to site.



Z-7664

253-261 HYDE PARK AVE.

JAMAICA PLAIN

Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7666
Mariano Pereyra
3-11 Bowdoin Street
Dorchester

Site: One-story structure.

District(s): General business (B-1) and local business (L-1)

Purpose: Change occupancy from laundromat and cleaners to laundromat and take-out restaurant.

Violation(s): Take-out restaurant is conditional use.

Proposed pizza-sub restaurant would be consistent with existing uses in the immediate area, which is predominantly commercial.

VOTED: In reference to petition Z-7666, Mariano Pereyra, 3-11 Bowdoin Street, Dorchester, for a conditional use for change of occupancy from laundromat and cleaners to laundromat and take-out restaurant in local business (L-1) and general business (B-1) districts, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. Proposed pizza-sub restaurant would be consistent with existing uses in the immediate area, which is predominantly commercial.



Z-7666

3-11 BOWDION ST.

DORCHESTER

Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7671
Dewey Square Tower Associates
1 Financial Center
Boston

Site: 46-story office structure.

District(s): General business urban renewal area subdistrict (B-10-U).

Purpose: Eliminate three cinemas and add 50 off-street parking spaces to an existing garage.

Violation(s): At variance with prior Board of Appeal decision.
Accessory garage is conditional use.

The Authority approved proposal, Change Order #3 to Land Disposition Agreement, on May 10, 1984.

VOTED: In reference to petition Z-7671, Dewey Square Tower Associates, 1 Financial Center, Boston, for a conditional use and an exception to eliminate three cinemas and add 50 off-street parking spaces in a general business urban renewal area (B-10-U) subdistrict, the Boston Redevelopment Authority recommends approval. On May 10, 1984, the Authority approved an amendment to the Land Disposition Agreement allowing deletion of cinemas and provision of off-street parking on first basement level.



Z-7671

1 FINANCIAL CENTER BOSTON

Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7675-7676
Robert Dargon and Gregory Hanifan
160-162 Centre Street
Roxbury

Site: Three-story duplex structure

District(s): Apartment (H-1)

Purpose: Legalize occupancy as two three-family dwellings; subdivide.

Violation(s): Insufficient lot area, width, frontage.

There is no record of legal occupancy. The conditions are existing.

VOTED: In reference to petitions Z-7675-7676, Robert Dargon and Gregory Hanifan, 160-162 Centre Street, Roxbury, for seven variances to legalize occupancy as two three-family dwellings, and subdivide, in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with proviso that plans for exterior changes be submitted to the Authority for design review approval. There is no record of legal occupancy. The conditions are existing. Subdivision of duplex structure is for separate owners.



11
Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7720
Thomas Gannon
318-320 Athens Street
South Boston

Site: 4,969 square feet of land.

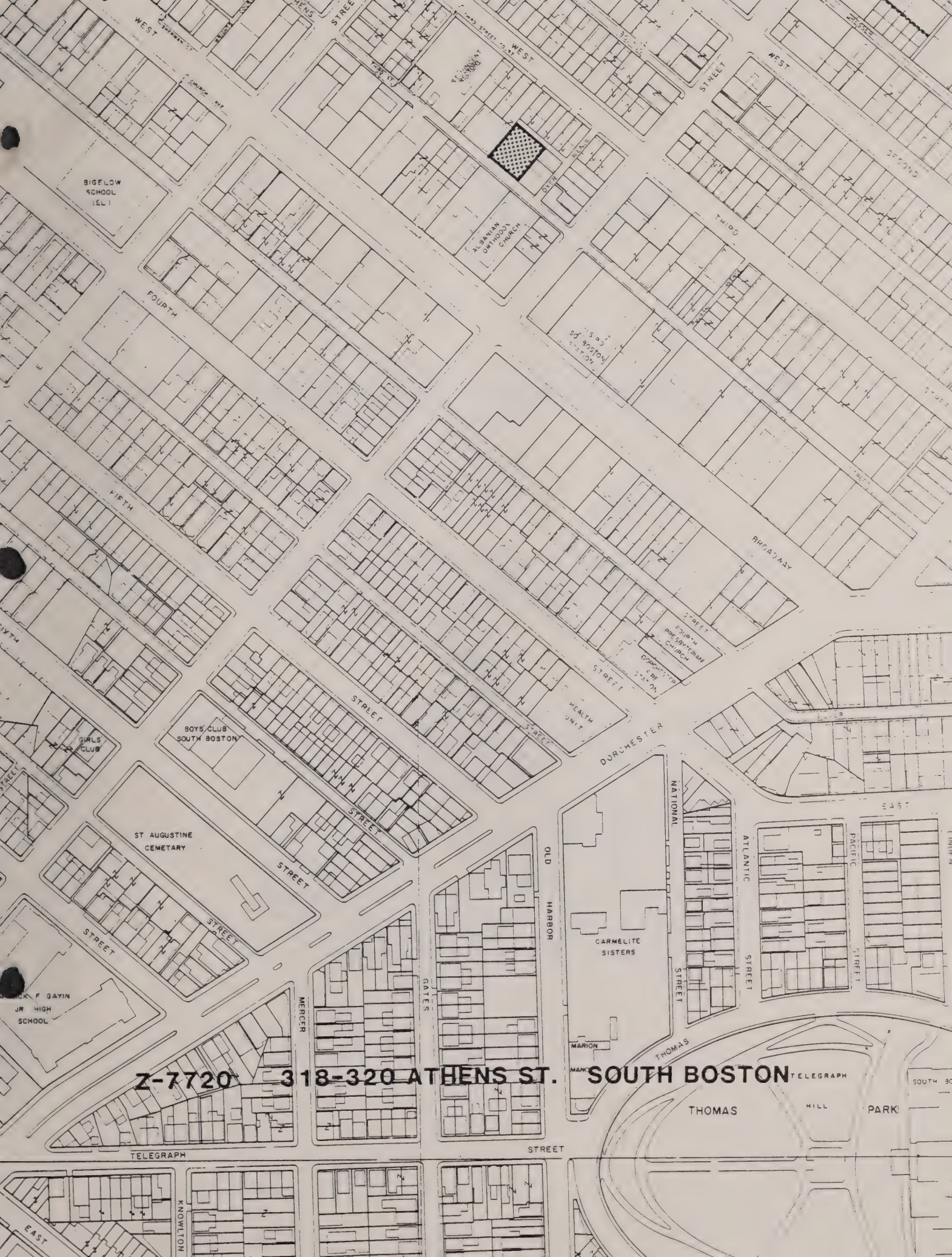
District(s): Apartment (H-1-50).

Purpose: Erect two-family dwelling.

Violation(s): Insufficient lot area.

Two-family dwelling will be consistent with character of residential neighborhood.

VOTED: In reference to petition Z-7720, Thomas Gannon, 318-320 Athens Street, South Boston, for two variances to erect a two-family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. Two-family dwelling will be consistent with character of residential neighborhood.



BIGELOW
SCHOOL
(EL)

ALBANIAN
ORTHODOX
CHURCH

ST. JOSEPH'S
CHURCH

ST. JOSEPH'S
PRESBYTERIAN
CHURCH

BOYS CLUB
SOUTH BOSTON

ST. AUGUSTINE
CEMETARY

FRANK F. GAYN
JR. HIGH
SCHOOL

CARMELITE
SISTERS

Z-7720 318-320 ATHENS ST. SOUTH BOSTON

THOMAS HILL PARK

Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7745
112 Water Street Realty
104-118 Water Street
Boston

Site: Six-story structure.

District(s): General business (B-10).

Purpose: Change occupancy from office, beauty salon, and restaurant to office, beauty salon, restaurant, and university use.

Violation(s): A university is a conditional use.

Northeastern University will lease two floors of former office space for intown classes, the majority of which will occur between 4:30 and 9:00 P.M. Full taxes will continue to be paid on the structure.

VOTED: In reference to petition Z-7745, 112 Water Street Realty, 104-118 Water Street, Boston, for a conditional use for change of occupancy from office, beauty salon, and restaurant to office, beauty salon, restaurant, and university use in a general business (B-10) district, the Boston Redevelopment Authority recommends approval with proviso that any exterior changes, inclusive of signs, be submitted to the Authority for design review approval. Northeastern University will lease two floors of former office space for intown classes, the majority of which will occur between 4:30 and 9:00 P.M. Full taxes will continue to be paid on the building.



Z-7745

104-118 WATER ST.

BOSTON

Board of Appeal Referrals 5/21/85

Hearing: 6/4/85 Z-7751-7755
Parke Realty Trust
1210-1218 V.F.W. Parkway
West Roxbury

Site: 75,712 square feet of land.

District(s): General business (B-1) and local business (L-.5).

Purpose: Erect five three-story, 12-unit apartment structures.

Violation(s): At variance with prior Board of Appeal decision.

Dumpster is forbidden use.

Parking is not allowed within required front yard nor within five feet of side lot line.

Insufficient access and setback of parapet.

Excessive height of building.

Dumpster is not allowed within side and rear yards.

Last year Board of Appeal, with Authority concurrence, approved this development with design review proviso. However, in the design review process additional violations were incurred. These petitions will remedy the condition.

VOTED: In reference to petitions Z-7751-7755, Parke Realty Trust, 1210-1218 V.F.W. Parkway, West Roxbury, for a forbidden use and 18 variances to erect five 12-unit apartment structures in local business (L-.5) and general business (B-1) districts, the Boston Redevelopment Authority recommends approval. Last year the Board of Appeal, with Authority concurrence, approved this development with design review proviso. However, in the design review process additional violations were incurred. These petitions will remedy the condition.



Z-7751-7755

1210-1218

VFW PARKWAY

WEST ROXBURY

Board of Appeal Referrals 5/21/85

Hearing: Z-7778-7779
Boston Redevelopment Authority
300 Chelsea Street
Charlestown

Site: Two three-story structures - Buildings 33 and 34.

District(s): General business (B-1-U).

Purpose: Change occupancy to office and retail uses; erect two additions.

Violation(s): Excessive floor ratio.
Insufficient off-street parking.

Historic buildings in former Charlestown Navy Yard, erected in 1850 and 1836 respectively, will be totally renovated for office and retail uses. Plans are in accord with Authority's design guidelines.

VOTED: In reference to petitions Z-7778-7779, Boston Redevelopment Authority, 300 Chelsea Street, Buildings 33 and 34 in former Charlestown Navy Yard, for four exceptions to change occupancy to office and retail uses and to erect two additions in general business urban renewal area (B-1-U) subdistrict, the Boston Redevelopment Authority recommends approval. Historic buildings, erected in 1850 and 1836 respectively, will be totally renovated for office and retail uses. Plans are in accord with Authority's design guidelines.

Z-7778-7779

300 CHELSEA ST.

CHARLESTOWN

